

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

October 8, 2009

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5)

Absent: Chris Jackson (W6)

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: that the Minutes of the regular meeting of the Common Council held on October 1, 2009 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Rabideau

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending October 7, 2009 in the amount of \$ 239,573.05 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Carpenter; Seconded by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of October 1-7, 2009
- Report from the Building Inspector's Office from March 2, 2009-October 6, 2009

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Valentine; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills approved by the Auditing Committee of the Common Council in the amount of \$ 535,717.31 are authorized and allowed and the Mayor and City Clerk

(where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Carpenter; Seconded by Councilor Calnon
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Dan Rugar of 9 Maine Rd. spoke tonight about his appreciation for being allowed to speak and presented Corporate Council John Clute with a referee jersey.

Gerald Carpenter of Johnson Ave read and submitted quote on fluoride.

Bill Provost of 80 Lafayette St addressed would like to ask if Councilors are allowed to ask questions. **Councilor Kelly** answered that with the Mayor's permission they are allowed to ask questions. He discussed his feelings on fluoride and that he does not support fluoridation and feels that the council hasn't really looked in to this issue. And now "we" are talking about limiting free speech in the Chambers and he is disappointed in that. He is not in rush to have a vote knows how difficult it is. He feels fluoride is poison and should not be added to our water system. He expressed his frustration that no one will meet with him to discuss fluoride and that the Mayor won't meet with him and that the Mayor made it clear last night when he asked him about it. **The Mayor** responded that Mr. Provost approached him after business hours at a function the Mayor was attending with his wife and son and that was not an appropriate time or place.

7. OTHER ITEMS

A. RESOLVED: In accordance with the request therefore the Common Council approves request from the City Chamberlain to close capital project H5110.19, River Sidewalk, and transfer the project surplus funds to a Trust & Agency account to be separately used for maintenance and repairs of the sidewalk when authorized by the City Clerk.

By Councilor Carpenter; Second by Councilor Calnon
Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves request from the City Chamberlain to close capital project H1620.11, City Hall Assembly Hall, and transfer the project surplus funds to a Trust & Agency account to be separately used for maintenance and repairs of the hall when authorized by the City Clerk.

By Councilor Carpenter; Second by Councilor Kelly
Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves request from Chief Paul Williams to seek bids for a replacement Aerial Fire Truck, including a modification of the 2009 Capital Plan to move the Aerial from 2010 to 2009, if necessary.

By Councilor Valentine; Second by Councilor Calnon
Discussion:

Councilor Carpenter indicated he was going to vote “no” unless they can take away “modification of the 2009 Capital Plan”

Councilor Valentine that we are just seeking bids and that doesn’t mean we are going to buy.

Councilor Calnon is going to propose an amendment to remove “including a modification of the 2009 Capital Plan to move the Aerial from 2010 to 2009, if necessary. There are 2 reasons: first that we don’t need to modify the capital plan unless you agree to purchase and second if we did purchase in 2009 it would require a modification of the 2009 Capital plan. It is irrelevant at this time if we aren’t actually accepting the bid.

Councilor Calnon proposed amendment to remove “including a modification of the 2009 Capital Plan to move the Aerial from 2010 to 2009, if necessary. Seconded by **Councilor Carpenter**. Also, Chief Williams advised **Councilor Calnon** prior to meeting that in the bidding process no cash would have to change hands until after the first of the year so it may not require a modification to the 2009 Capital Plan.

Councilor Rabideau wanted to make sure that by voting for the modification it in no way implies that they are buying an Aerial truck.

Councilor Kelly asked how much useful life the current truck has.

Amend resolution as follows: In accordance with the request therefore the Common Council approves request from Chief Paul Williams to seek bids for a replacement Aerial Fire Truck.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

ACTION TAKEN: Adopted

RESOLVED: In accordance with the request therefore the Common Council approves request from Chief

Paul Williams to seek bids for a replacement Aerial Fire Truck.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves request from Bill Treacy, Manager MLD to advertise for sealed bid for PMLD BID NO. 2009-10-1 "Sale of Salvaged & Scrap Materials. Bid Opening Date: November 3, 2009 at 11:00 am.

By Councilor Kelly; Second by Councilor Calnon
Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves request from Kenneth Primard, Community Development Office to advertise for rebids for building improvements on Project Main St. #6 – 12 Margaret St (Antique & Variety Mall). This project consists of replacing the entire front facade and roofing. The property owner rejected the bids because of the amount.

By Councilor Carpenter; Second by Councilor Valentine
Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves request that the following resolution authorizing the Mayor to sign an agreement between the Dept. of State and the City of Plattsburgh for Phase VI of the Waterfront Rediscovery Program be approved.

By Councilor Carpenter; Second by Councilor Valentine_
Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves request from the Engineering & Planning Department to advertise for bids for Contract #2009-15, "Request for Proposals for Survey Services for city streets."

By Councilor Rabideau; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves request from MLD to award Cox Industries, Leland, NC contract for Bid No. 2009-9-3 Wood Utility Poles – 45 feet in the total amount of \$11,056.50.

By Councilor Kelly; Second by Councilor Valentine

Discussion:

Councilor Kelly isn't there local company that makes these poles? Bill Treacy, MLD stated no local companies and the North Carolina company was lowest bid.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. RESOLVED: In accordance with the request therefore the Common Council approves request from the Zone Administrative Board of the Plattsburgh Empire Zone authorizing the submission of a boundary amendment to include the lands of Schluter Systems and other new zone areas as described in the maps submitted to the Empire State Development Corporation.

By Councilor Calnon; Second by Councilor Valentine

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

J. Motion to waive rule 4 for initial consideration “request from Fire Chief Paul Williams to accept the bid from L.H. Laplant Co., 52 Main Mill St. in the amount of \$18,888.00 for the removal and installation of commercial Electric Boiler at Fire Station 2 on South Platt St.

By Councilor Valentine; Second by Councilor Calnon

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

RESOLVED: In accordance with the request therefore the Common Council approves request from Fire Chief Paul Williams to accept the bid from L.H. Laplant Co., 52 Main Mill St. in the amount of \$18,888.00 for the removal and installation of commercial Electric Boiler at Fire Station 2 on South Platt St.

By Councilor Valentine; Second by Councilor Carpenter
Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

8. TRAVEL REQUEST: NONE

9. RESOLUTIONS FOR INITIAL CONSIDERATION

1. Request from Community Development Office to approve a change order for Project Main St BIP 2008 #3 (Carol McLean, 22 City Hall Place) in the amount of \$1890.00. The contractor removed and recaulked the expansion joints of the front decks (3 stories). The contractor's proposal is attached.
2. Request from Fire Chief Paul Williams to accept the bid from L.H. Laplant Co., 52 Main Mill St. in the amount of \$18,888.00 for the removal and installation of commercial Electric Boiler at Fire Station 2 on South Platt St. (**Moved to Agenda under “Other Items” Letter J**)
3. Request from Mayor Donald Kasprzak to attend the “Development of NYCOM’s 2010 Legislative Priorities” in Albany, NY from November 9-10, 2009 at a cost not to exceed \$455.00
4. Request from Chief Desmond Racicot for Captain Michael Branch and Lieutenant Patrick Rascoe to attend the “Problem Oriented Policing Training Course” in Syracuse, NY from October 19 – 21, 2009 at a cost not to exceed \$700.00 which will be paid out of the Asset

Forfeiture Fund.

5. Request from Chief Desmond Racicot for Cpl. Bradley Kiroy to attend the “Department of Criminal Justice Services Breath Analysis Instructor Course” in Oswego, NY from October 27-29, 2009 at a cost not to exceed \$475.00 which will be paid out of the Asset Forfeiture Fund.

10. NEW BUSINESS None

11. CLOSING PUBLIC COMMENTS

Dan Rugar indicated his second word was mosquito’s. But from what he was told the mosquito’s don’t read the minutes of the meeting so he sees no need to continue on with his other 2 pages since there are no mosquito’s in the room to get the message therefore good night.

Motion to Adjourn by Councilor Calnon; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine

MEETING ADJOURNED: 6:00 pm